

**REMARKS**

This is a response to the Office Action mailed August 25, 2004, with a shortened one month response period ending on September 25, 2004 extended three months by Petition filed herewith. This response is therefore timely filed.

**1. Status of the Claims**

Claims 1-276 are currently pending in this application and are subject to restriction to one group of claims among Groups I-XXVII set forth in the office action and further subject to three elections of species requirements (OA, ¶¶ 6, 7).

Applicant hereby elects Group XVII, namely claims 1-19, 28, 30-36, 38-40, 43-65, 67-69, 73-78, 80-82, 86-111, 139-163, 165-175 and 177-187 without traverse.

Applicants are also required to elect between measuring cytokines by either in serum or intracellular. Applicants elect measuring the cytokines in intracellular for prosecution in the first instance.

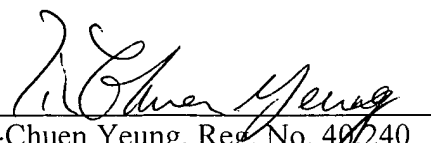
Applicants are also required to elect a single Th1 cytokine and a single Th2 cytokine. Applicants elect TNF- $\alpha$  as the Th1 cytokine. Applicants elect IL-10 as the Th2 cytokine.

Thus the claims within this Group XVII and these three species elections include 1-5, 7-9, 12, 19, 28, 31, 32, 33, 36, 38-40, 43-65, 67-69, 73-78, 80-82, 86-111, 139-163, 165—175, and 177-187.

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

Date: December 20, 2004

BY   
Tin-Chuen Yeung, Reg. No. 40,240  
P.O. Box 708  
Northbrook, IL 60065  
Phone: (847) 272-3400